

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**TORY WILLIAMS, *parent and natural guardian
of K.W.B., a minor,***

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

CIVIL ACTION

NO. 20-408-KSM

ORDER

AND NOW, this 30th day of November, 2021, upon consideration of Defendant Amazon.com, Inc.'s Partial Motion to Dismiss Counts IV and V (Doc. No. 38), Plaintiff's response (Doc. No. 42), and for the reasons stated in the accompanying Memorandum, it is **ORDERED** as follows:

1. Amazon's motion is **GRANTED** as to the implied warranty of fitness for a particular purpose claim (Count V), and that claim is **DISMISSED with prejudice**.
2. Amazon's motion is **DENIED** as to the misrepresentation claim (Count IV).

IT IS SO ORDERED.

/s/KAREN SPENCER MARSTON

KAREN SPENCER MARSTON, J.